## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

A & E TRANSPORTATION Employer

and

Case 3-RC-11946

UNITED FOOD AND COMMERCIAL WORKERS DISTRICT UNION LOCAL ONE

Petitioner

## **DECISION AND CERTIFICATION OF REPRESENTATIVE**

The National Labor Relations Board has considered objections to an election held December 18, 2009, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 84 ballots cast for and 31 ballots cast against the Petitioner, with 4 challenged ballots, an insufficient number to affect the results.

No exceptions have been filed to the hearing officer's report within the time provided.<sup>1</sup> Accordingly, the Board adopts the hearing officer's findings and recommendations, and finds that a certification of representative should be issued.

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<sup>&</sup>lt;sup>1</sup> On August 5, 2010, the Employer requested to withdraw its earlier-filed exceptions to the hearing officer's report and requested that the Board issue a Certification of Representative. That request is hereby granted. No other party filed exceptions.

## CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for United Food and Commercial Workers District Union Local One and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time drivers and monitors employed by the Employer at its 178 Newbury Street, Rochester, New York facility; but excluding all officer clerical employees, mechanics, maintenance employees, dispatchers, safety directors, confidential employees, guards, and all professional employees and supervisors as defined in the Act.

Dated, Washington, D.C., August 19, 2010.

By direction of the Board:

Richard D. Hardick
Associate Executive Secretary